IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

JOSE GUTIERREZ-YANEZ,)
Plaintiff,))) 1:19CV50
V.)
UNITED STATES OF AMERICA,)
Defendant(s).)

ORDER

The Recommendation of the United States Magistrate Judge was filed with the court in accordance with 28 U.S.C. § 636(b) and, on May 21, 2019, was served on the parties in this action. (Docs. 2, 3.) Petitioner objected to the Recommendation. (Doc. 4.)

The court has appropriately reviewed the portions of the Magistrate Judge's report to which objection was made and has made a de novo determination in accord with the Magistrate Judge's report. See United States v. Jones, 215 F.3d 467 (4th Cir. 2000). The court therefore adopts the Magistrate Judge's Recommendation.

IT IS THEREFORE ORDERED that this action be filed and dismissed sua sponte without prejudice to Plaintiff filing a civil complaint, on the proper Motion for Return of Property forms, which corrects the defects of the current Motion.

/s/ Thomas D. Schroeder United States District Judge